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Of Counsel:
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April 14, 2009

Patricia Van Gerpen, Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, South Dakota 57501

Re: Midstate Telecom, Inc.
TC09-009

Dear Patty:

Please find enclosed herein a Joint Motion for Approval of Settlement Stipulation and the Settlement Stipulation which I ask you file in regards to the above-referenced matter.

Thank you.

Very truly,

RITER, ROGERS, WATTIER
& NORTHRUP, LLP

BY:

Margo D. Northrup

MDN/cs

Enclosure

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE FILING BY)
MIDSTATE TELECOM, INC. FOR AN)
EXTENSION OF AN EXEMPTION FROM)
DEVELOPING COMPANY SPECIFIC COST-)
BASED SWITCHED ACCESS RATES.)**

**JOINT MOTION FOR
APPROVAL OF
SETTLEMENT STIPULATION
TC09-009**

Midstate Telecom, Inc. (MTI) and the Staff of the South Dakota Public Utilities Commission (Commission Staff), jointly referred to as "Parties," hereby file the above referenced Motion and Settlement Stipulation with the South Dakota Public Utilities Commission (Commission). The Parties propose that the Commission adopt the attached Settlement Stipulation (Stipulation) as the settlement and resolution of all the issues in this proceeding. In support of this Motion, the Parties submit as follows:

1. This motion is made pursuant to ARSD 20:10:01:19.
2. The parties move that MTI be granted a waiver from the requirements of filing cost data in support of MTI's switched access services tariff attached to the Stipulation, as required by ARSD 20:10:27:07, for the time period covered by and for the reasons set forth in the Stipulation.
3. The parties move that MTI be granted a waiver from the requirements of ARSD 20:10:27:12 for the time period covered by and for the reasons set forth in the attached Stipulation.
4. This Stipulation resolves all of the Issues in Docket TC09-009.
5. The Stipulation represents a negotiated settlement of specific issues in this case. The terms of the Stipulation agreed upon are, to the belief of the Parties, just, fair, and reasonable

and consistent with South Dakota law. The parties respectfully request the Commission approve the Stipulation.

For the foregoing reasons, the undersigned parties jointly request the South Dakota Public Utilities Commission to adopt the attached Stipulation for the purpose of resolving the specific issues for use in setting the intrastate switched access rates of Midstate Telecom, Inc. in docket TC00-009. Should the Commission fail to adopt the attached Stipulation, or modify the same, the parties shall, at their discretion, proceed with Docket TC09-009 as though no stipulation had been presented to this Commission.

Dated this 14th day of April, 2009.

Midstate Telecom, Inc.

South Dakota Public Utilities Commission Staff

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SERVICE LIST

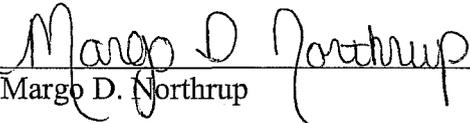
I hereby certify that a true and correct copy of the Joint Motion for Approval of Settlement Stipulation and the Settlement Stipulation were served electronically on the 14th day of April, 2009 addressed to:

MS PATRICIA VAN GERPEN
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